

HR 1680

Secure Handling of Ammonium Nitrate Act of 2007

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Emergency Management

Introduced: Mar 26, 2007

Current Status: Provisions of Measure Incorporated into Section 563 of Title V of Division E of H.R. 2764.

Latest Action: Provisions of Measure Incorporated into Section 563 of Title V of Division E of H.R. 2764. (Dec 26, 2007)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/1680>

Sponsor

Name: Rep. Thompson, Bennie G. [D-MS-2]

Party: Democratic • State: MS • Chamber: House

Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Dent, Charles W. [R-PA-15]	R · PA		Mar 26, 2007
Rep. Etheridge, Bob [D-NC-2]	D · NC		Mar 26, 2007
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		Mar 26, 2007
Rep. King, Peter T. [R-NY-3]	R · NY		Mar 26, 2007
Rep. Langevin, James R. [D-RI-2]	D · RI		Mar 26, 2007
Rep. McCaul, Michael T. [R-TX-10]	R · TX		Mar 26, 2007
Rep. Sanchez, Loretta [D-CA-47]	D · CA		Mar 26, 2007
Rep. Lofgren, Zoe [D-CA-16]	D · CA		Mar 28, 2007
Rep. Green, Al [D-TX-9]	D · TX		Mar 29, 2007

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Oct 24, 2007
Homeland Security Committee	House	Reported by	Mar 29, 2007

Subjects & Policy Tags

Policy Area:

Emergency Management

Related Bills

Bill	Relationship	Last Action
110 S 1463	Related bill	May 23, 2007: Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

Secure Handling of Ammonium Nitrate Act of 2007 - Amends the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to regulate the sale and transfer of ammonium nitrate by an entity that produces, sells, or otherwise transfers ownership of or provides application services for it to prevent its misappropriation or use in a terrorist act.

Requires the Secretary to establish: (1) a threshold percentage for ammonium nitrate for a substance to be treated as ammonium nitrate under this Act; and (2) a process by which each applicant for registration as the owner of an ammonium nitrate facility is required to register with the Department of Homeland Security (DHS) and any person who seeks to be an ammonium nitrate purchaser is issued a registration number.

Directs the Secretary to require the owner of a facility engaged in selling or transferring ammonium nitrate to maintain a record of each sale or transfer for two years.

Sets forth provisions regarding: (1) exempting persons producing, selling, or purchasing ammonium nitrate exclusively for use as an explosive material under a federal explosives license; (2) ensuring that access of agricultural producers to ammonium nitrate is not unduly burdened; and (3) restricting the disclosure of information obtained under this Act.

Directs the Secretary to: (1) establish procedures to efficiently receive applications for registration numbers, conduct checks of appropriate identifying information of any person seeking to register against information that appears on the terrorist watch list, and promptly issue or deny a registration number; and (2) take steps to maximize the number of registration applications that are submitted and processed during the initial six-month period. Authorizes the Secretary to deny issuance of a registration number if the person's identifying information appears on the terrorist watch list and the Secretary determines that such person may pose a threat to national security.

Requires the Secretary: (1) following the six-month period, to issue or deny registration numbers not later than 72 hours after receiving a complete registration application unless the Secretary determines, in the interest of national security, that additional time is necessary to review an application; and (2) in all cases, to notify persons of the status of their application not later than 72 hours after receiving it.

Directs the Secretary to: (1) establish an expedited appeals process for persons denied a registration number; (2) resolve appeals within 72 hours unless additional time is necessary in the interest of national security; (3) provide guidance regarding the procedures and information required for an appeal; and (4) recheck, as appropriate, and revoke a registration number upon determining that the person may pose a threat to national security, but requires prior notice to permit an appeal.

Sets forth provisions regarding: (1) inspecting and auditing facility owner records to prevent the misappropriation of ammonium nitrate; and (2) timely reporting by individuals of the theft or unexplained loss of ammonium nitrate. Requires the relevant federal authorities to inform appropriate state, local, and tribal law enforcement entities of such theft or loss.

Prohibits individuals and owners of ammonium nitrate facilities from taking and transferring possession of ammonium nitrate to persons who are not registered or to agents of a non-registered person. Sets forth related prohibitions.

Prohibits: (1) buying and taking possession of ammonium nitrate, or owning or operating an ammonium nitrate facility, without a registration number; or (2) failing to comply with any requirement of this Act. Prescribes a civil penalty. Lists considerations in determining the penalty amount, including the nature and circumstances of the violation and any history of prior violations, ability to pay, and effect on the person's ability to conduct business.

Shields an owner of an ammonium nitrate facility from liability (subject to specified limitations) where the owner, in good faith, refuses to sell or transfer ammonium nitrate to any person, or discloses to DHS or to appropriate law enforcement authorities an actual or attempted purchase or transfer, based on a reasonable belief that the person seeking the purchase or transfer may use the ammonium nitrate to create an explosive device to be employed in a terrorist act or for any other unlawful purpose.

Authorizes appropriations.

## Actions Timeline

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- **Dec 26, 2007:** Provisions of Measure Incorporated into Section 563 of Title V of Division E of H.R. 2764.
- **Oct 24, 2007:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
- **Oct 23, 2007:** Mr. Thompson (MS) moved to suspend the rules and pass the bill, as amended.
- **Oct 23, 2007:** Considered under suspension of the rules. (consideration: CR H11862-11866)
- **Oct 23, 2007:** DEBATE - The House proceeded with forty minutes of debate on H.R. 1680.
- **Oct 23, 2007:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H11862-11863)
- **Oct 23, 2007:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H11862-11863)
- **Oct 23, 2007:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 23, 2007:** The title of the measure was amended. Agreed to without objection.
- **Oct 2, 2007:** Reported (Amended) by the Committee on Homeland Security. H. Rept. 110-357.
- **Oct 2, 2007:** Placed on the Union Calendar, Calendar No. 221.
- **Apr 26, 2007:** Committee Consideration and Mark-up Session Held.
- **Apr 26, 2007:** Ordered to be Reported (Amended) by Voice Vote.
- **Apr 17, 2007:** Committee Consideration and Mark-up Session Held.
- **Mar 29, 2007:** Subcommittee Consideration and Mark-up Session Held.
- **Mar 29, 2007:** Forwarded by Subcommittee to Full Committee by Voice Vote .
- **Mar 28, 2007:** Referred to the Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology.
- **Mar 26, 2007:** Introduced in House
- **Mar 26, 2007:** Referred to the House Committee on Homeland Security.